



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023/24

OVERVIEW & SCRUTINY COMMITTEE – 13 NOVEMBER 2023

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATIONS**

CONSULTATION - ELECTIONS AND ELECTED BODIES (WALES) BILL

1. PURPOSE OF THE REPORT

- 1.1 For Members of the Overview & Scrutiny Committee to formally respond to the Welsh Government's consultation which sets out the proposals on a [Elections and Elected Bodies \(Wales\) Bill](#) which is attached at Appendix 1 for members information

2. RECOMMENDATIONS

It is recommended that Members: -

- 2.1 Provide feedback on the proposals as outlined in paragraph 4, and decide whether they wish to make any further comments or suggestions as appropriate following consideration of the information before them.
- 2.2 Authorise the Service Director Democratic Services and Communications to submit the feedback provided by Members to Welsh Government on behalf of the Committee

3. REASONS FOR RECOMMENDATIONS

- 3.1. To provide Scrutiny with the opportunity to respond to the consultation so that it can have its say on the proposals for the Bill which set out a number of objectives as set out below.

4. BACKGROUND

- 4.1 The Elections and Elected Bodies (Wales) Bill has been referred to the Local Government and Housing Committee for Stage 1 scrutiny of the general principles of the Bill.

4.2 If passed, the Elections and Elected Bodies (Wales) Bill will:

- 4.2.1 Confer the functions of an Electoral Management Board for Wales on the Democracy and Boundary Commission Cymru, which will involve the Commission establishing the Board to take responsibility for oversight of the coordination and administration of devolved elections, collaboration with Returning Officers, and Electoral Registration Officers and advising Welsh Ministers on issues related to the democratic health of the nation.
- 4.2.2 Introduce electoral registration without application, and the ability to pilot the most appropriate means of achieving this.
- 4.2.3 Create a duty on the Welsh Ministers to put in place arrangements aimed at improving diversity within Senedd and local government democratic structures, and for individual schemes to be created and tailored to provide support for protected characteristics.
- 4.2.4 Remove the requirement to set out the specific wording and format of the local government candidate survey in regulations.
- 4.2.5 Create a requirement for a voter information platform that can host candidate and voter information for Senedd and ordinary principal council elections.
- 4.2.6 Hold candidates and agents accountable for notional expenditure only where they direct it, allowing authorised persons to make payments not via an election agent, and restricting who can operate as a third-party campaigner in devolved elections. To support these campaign finance changes, the bill also proposes enabling the Electoral Commission to include them in their codes of practice.
- 4.2.7 Make adjustments to the role and remit of the Local Democracy and Boundary Commission for Wales, including changes to the name and function of its audit committee, significant strengthening of electoral review arrangements, and the conferring of functions on the Commission to undertake the majority of the functions currently undertaken by the Panel. The Commission will also be responsible for determining the amount of any resettlement payment payable by a principal council to Councillors, who fail to be re-elected to the council at a local council election.
- 4.2.8 Disqualify Town and Community councillors in Wales from serving as Members of the Senedd, and remove the existing “grace period” for principal Councillors elected to the Senedd and Members of the Senedd elected as Members of Parliament.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 There are no equality and diversity implications as a result of the recommendations set out in the report.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications aligned to this report.

7. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

7.1 There are no legal implications arising from the recommendations in this report.

8. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES.

8.1 This is an information report presenting the Welsh Government's consultation on its proposals on for an Elections and Elected Bodies (Wales) Bill. No decisions are being taken in this report.

9. CONCLUSION

9.1 The Overview & Scrutiny Committee, in line with its Terms of Reference, has been afforded the opportunity to respond to the consultation for a Elections and Elected Bodies (Wales) Bill published by Welsh Government

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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